



Michigan Civil Service Commission
Disability Management Office
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Leaves of Absence – General Information

Regardless of the reason of the need for leave, it is the employee's responsibility to submit a leave request in writing, using the appropriate form, at least 30 days in advance, when foreseeable. In emergency circumstances, the request should be submitted as far in advance as possible and may be made verbally, if necessary. Whenever an employee will be off work five or more days for an FMLA qualifying absence, a leave request form must be submitted whether or not the employee will use leave credits to cover the absence. The leave request form must be submitted to the CSC Disability Management Office.

The CSC Disability Management Office has sole authority to approve or deny a leave request as delegated by the Appointing Authority. Civil service regulations and collective bargaining agreement requirements, the operational needs of the work area, the employee's length of service, performance record, and leave of absence history will be considered in reviewing and approving requests for a leave of absence.

To request an extension of a previously approved leave, the employee must provide a new medical statement (if appropriate) to the CSC Disability Management Office five days prior to expiration of the approved leave. Failure to provide timely extension requests and/or medical documentation could result in your separation from employment.

An employee approved for Plan A may not utilize Plan A hours during a period of extended leave. Use of annual, deferred, compensatory, or BLT hours is optional for all FMLA leaves and counts against the employee's FMLA entitlement.

While on FMLA leave, the state portion of health, dental and vision insurance premiums will be paid by the State as long as the employee submits the required employee share of the premium. Additionally, the Long Term Disability (LTD) rider will pay the health premium for employees covered under the LTD plan while on a personal unpaid medical leave for up to six months. Employees are required to pay the full premiums (state and employee share) for health, vision and dental insurance after insurance coverage benefits under FMLA, LTD, or both are exhausted, if continued coverage is desired.

Time spent on an unpaid FMLA, medical, or parental leave does not count toward seniority or continuous service hours. See Civil Service Regulation 2.03 for additional information regarding leaves of absence. Exclusively represented employees should consult their bargaining unit agreement.

Supervisors must notify the CSC Disability Management Office when an employee is off work because of medical reason for five (5) days or more; or when an employee returns from a leave of absence for payroll purposes.

Medical, Parental, and Family Care Leave under the Family and Medical Leave Act (FMLA)

Under this federal act, employees may be eligible as determined by the department for up to twelve (12) workweeks of paid or unpaid leave during a 12 month period if they have been employed by the State of Michigan for at least one year and have physically worked at least 1,250 hours over the previous 12 months. The FMLA also covers an employee needing to take time off intermittently or work a reduced (part-time)

schedule. Employees should be aware that FMLA hours run concurrently with qualifying leave credits such as annual, sick, unpaid leaves of absences, medical leaves, workers compensation etc. The following are FMLA qualifying events:

- A serious health condition that makes the employee unable to perform his/her job duties (medical leave).
- The birth and care of an employee's newborn child or placement with the employee of a child for adoption or foster care (parental leave), or
- The care of the employee's spouse, child, or parent who has a serious health condition (family care leave),

"Serious health condition" under the act means any illness or impairment that involves: (1) any overnight stay in a medical facility, (2) absence of more than three calendar days from work and continuing treatment by a health care provider, or (3) continuing treatment by a health care provider for a chronic or long-term health condition. In the CSC Disability Management Office, a doctor statement is required for five consecutive work days of absence. If you have a health condition that meets the definition described above, request to take leave time because of this health condition, and have an entitlement to FMLA leave, you will be placed on a leave under the FMLA. While on an approved FMLA leave, you must use any accrued sick and annual leave credits as follows:

- For a medical leave, sick leave credits must be exhausted before going on an unpaid leave. Annual leave credits may be used at your option.
- For a parental leave, sick leave credits cannot be used. You may use annual leave credits if you wish or the time off will be unpaid.
- For a family care leave, sick leave credits must be used. Upon written request, you may freeze up to 80 hours of sick leave if you are a non-exclusively represented employee; represented employees should consult their bargaining unit agreements.

If approved for an FMLA leave and you do not have sufficient leave credits to cover your absence, the State of Michigan will continue to contribute the state portion of your health, dental and vision insurance premium for any portion of your leave that qualifies under the FMLA for which you do not have accrued leave credits as long as you pay the employee share of the premium.

Before returning from a personal illness FMLA leave, the employee must provide the CSC Disability Management Office a written medical statement from their treating physician or practitioner certifying the employee's date of release to return to work and fitness to resume regular duties with or without restrictions. The certification must be **dated within ten days** of the employee's actual return to work date

The CSC Disability Management Office reserves the right to have the employee examined by a physician selected and paid by the department for the employee's initial personal medical leave request, extension, and/or return to work.

The FMLA entitlement runs concurrently with medical or parental leave of absence entitlements under civil service rules and regulations. Represented employees should consult their collective bargaining agreement. For more information on FMLA, please visit the DMO website at the following link:

<http://www.michigan.gov/dmo>. You may also visit your agency's HR intranet page for leave information specific to your agency.

Military Caregiver Leave under the Family and Medical Leave Act (FMLA)

A military caregiver leave (MCL) may be taken to care for a covered service member who is an employee's spouse, child, parent, or next of kin. The employee must have been employed by the State of Michigan for at least 12 months and have worked at least 1,250 hours in the previous 12-month period to be eligible. A total of 26 workweeks of military caregiver leave may be taken during a 12 month MCL entitlement period, but any other FMLA leave taken during the period also counts toward the 26 week entitlement. Sick leave hours must be depleted to a balance of 80 hours before going on unpaid leave. For more information, contact the CSC Disability Management Office.

Parental Leave

Civil Service regulations provide for parental leave of up to six (6) months for parents to care for a child following birth or adoption; the leave must conclude within 12 months of the birth or adoption of the child. Up to 12 workweeks of parental leave granted under the FMLA will count towards this six month entitlement. To be eligible for a parental leave, you must have satisfactorily completed an initial probationary period. Employees represented by a bargaining unit agreement should review their bargaining unit agreement for eligibility requirements.

Medical Leave

A medical leave is intended to protect the job and the long-term service of an employee who is temporarily disabled or who requires medical treatment beyond the coverage of available sick leave credits. A request should be made in advance of the beginning of the leave except in unanticipated circumstances. The Leave of Absence Application for FMLA, Medical, and Parental Leaves and CS-1806, Certification of Employee's Serious Health Condition (FMLA), forms are required for the employee to request a leave or to extend a leave.

The CSC Disability Management Office reserves the right to have the employee examined by a physician selected and paid by the department for the employee's initial personal medical leave request, extension, and/or return to work.

A medical leave begins after the last day worked, even though leave credits have not been exhausted and you are not off the payroll.

First, all sick leave hours must be exhausted prior to an unpaid medical leave. Then annual, banked leave time, compensatory time or deferred leave hours may be used. You may choose your preferred use of leave credits by specifying your choice on the Leave of Absence Application. If no preference is selected, all leave credits will be frozen.

Following use of all sick leave, an unpaid medical leave of absence for non-represented employees may be approved by the appointing authority for up to six (6) months if the employee has completed the equivalent of six months full-time employment with the State of Michigan when the leave is granted. Any requests for a medical leave extension beyond the six (6) month maximum is evaluated on a case-by-case basis taking into consideration the department's operational needs. Represented employees should consult their bargaining unit agreement for medical leave of absence eligibility and for any extension requests. Any FMLA medical leave entitlements run concurrent with this 6 month entitlement. Health insurance premiums are covered for up to six months for employees off work and receiving Long Term Disability (LTD) wage replacement benefits; to facilitate this coverage the employee must complete and return to the Civil Service Employee Benefits Division the COBRA form that will be provided to them by the CSC Disability Management Office. Additionally, the life insurance premium is waived for those employees receiving LTD benefits.

An employee who does not return to work by the end of a medical leave or has not provided appropriate medical documentation to request an extension of the leave may be separated from employment after three (3) days for vacating their position. For more information on medical leave, please visit the DMO website at the following link: <http://www.michigan.gov/dmo>

EXTENSION REQUESTS

To request an extension of a previously approved leave, the employee must provide a new medical statement (if appropriate) to the CSC Disability Management Office ten days prior to expiration of the approved leave. Failure to provide timely extension requests and or medical documentation could result in your separation from employment.

OTHER

It may take up to 5 business days after receiving all required information to review your request and to receive a response. You may also visit your agency's HR intranet page for leave information specific to your agency.

Employees must call in daily according to your normal departmental call-in procedures until the leave is approved by the DMO.

To ensure desired use of leave credits, employees must inform their supervisor of their intent to freeze leave credits as indicated on the leave request. The DMO does not provide this information to the supervisor or the HR Office until the leave is approved.